

REMARKS

Claims 1-20 are all the claims pending in the present application. Applicants thank the Examiner for indicating that claims 3-5, 11, and 16-20 contain allowable subject matter, and would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

In the Office Action, the Examiner now applies a new reference to allegedly support the claim rejections. Specifically, claims 1, 2, 6-10 and 12-15 are now rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Isnardi et al. (U.S. Patent No. 6,400,400).

Isnardi is directed to an apparatus and concomitant method for creating and applying an encoded bitstream to evaluate the performance of a black box video decoder. The encoded bitstreams are designed such that the results from the device under test (DUT) can be evaluated without the need of a human observer. The method applies the encoded bitstream to both a DUT and a compliant reference decoder and compares the results from both decoders to determine compliance of the DUT. Additional embodiments address postprocessing and the selection of a subset of test frames for evaluation.

Claim 1 of the present application recites a test data generator for generating test data corresponding to input items of a user based on the input items of the user and at least information on the raw data and the MPEG transport stream standard. Column 2, line 59 to column 3, line 8 of Isnardi discloses a test bitstream generator 110 for generating a plurality of encoded video bitstreams that are applied to both the video decoder under test 120 and the reference video decoder 130 using inputs from the Input/Output(I/O) devices 116. However, Isnardi does not disclose or suggest a test bitstream generator for generating a plurality of encoded video bitstreams using the information on the raw data and the MPEG transport stream standard as recited in claim 1. Accordingly, at least because the above-discussed feature of

claim 1 is not taught or suggested by Isnardi, Applicants submit that claim 1 is patentably distinguishable over Isnardi.

Applicants submit that claims 2 and 6-10 are patentable at least by virtue of their indirect or direct dependencies from independent claim 1.

Applicants submit that claims 12-15 are patentable at least based on reasons similar to those set forth above with respect to claim 1, as these claims recite features similar to those discussed above with respect to claim 1.

Further, with respect to claim 6, Applicants submit that Isnardi does not disclose or suggest at least an automatic test data generating apparatus that comprises "test data analyzer for analyzing the test data generated by the test data generator, according to a predetermined standard," as recited in claim 6. The Examiner cites col. 3, lines 9-16 of Isnardi to allegedly satisfy the above quoted feature of claim 6. The above cited portion of Isnardi describes a video output analyzer that is separate from an automatic test data generating apparatus; the video output analyzer of Isnardi receives data that has been output from one or more decoders. However, the video output analyzer 140 of Isnardi clearly does not constitute the test bit stream generator 110 thereof, which allegedly corresponds to the claimed automatic test data generating apparatus. At least based on the foregoing, Applicants submit that Isnardi does not anticipate claim 6.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

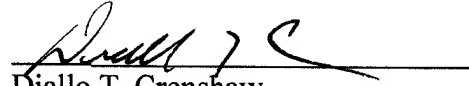
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